

Senate and appeared in the Congressional Record of November 15, 2021.

PN1408 SPACE FORCE nomination of Travis Richard Prater, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

NASA ENHANCED USE LEASING EXTENSION ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5746, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5746) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. I ask that the Cantwell amendment, which is at the desk, be agreed to; that the bill, as amended, be considered read a third time and passed; and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4893), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “NASA Enhanced Use Leasing Extension Act of 2021”.

SEC. 2. FINDINGS.

Congress find the following:

(1) NASA uses enhanced use leasing to enter into agreements with private sector entities, State and local governments, academic institutions, and other Federal agencies for lease of non-excess, underutilized NASA properties and facilities.

(2) NASA uses enhanced use leasing authority to support responsible management of its real property, including to improve the use of underutilized property for activities that are compatible with NASA’s mission and to reduce facility operating and maintenance costs.

(3) In fiscal year 2019, under its enhanced use lease authority, NASA leased 65 real properties.

(4) In fiscal year 2019, NASA’s use of enhanced use leasing resulted in the collection of \$10,843,025.77 in net revenue.

(5) In fiscal year 2019, NASA used a portion of its enhanced use leasing revenues for repairs of facility control systems such as lighting and heating, ventilation, and air conditioning.

(6) NASA’s use of enhanced use leasing authority can contribute to reducing the rate of increase of the Agency’s overall deferred maintenance cost.

SEC. 3. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended by striking “December 31, 2021” and inserting “March 31, 2022”.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The amendment was ordered to be engrossed for a third reading and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 5746), as amended, was passed.

SUICIDE TRAINING AND AWARENESS NATIONALLY DELIVERED FOR UNIVERSAL PREVENTION ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 127, S. 1543.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1543) to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Suicide Training and Awareness Nationally Delivered for Universal Prevention Act of 2021” or the “STANDUP Act of 2021”.

SEC. 2. STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING.

(a) IN GENERAL.—Title V of the Public Health Service Act is amended by inserting after section 520A of such Act (42 U.S.C. 290bb-32) the following:

“SEC. 520B. STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING.

“(a) IN GENERAL.—In awarding funds under section 520A, the Secretary shall give priority to applications under such section from a State educational agency, local educational agency, or Tribal educational agency, submitted directly or through a State or Indian Tribe, for funding for activities in secondary schools, where such agency has implemented, or includes in such application a plan to implement, a student suicide awareness and prevention training policy, which may include applicable youth suicide early intervention and prevention strategies implemented through section 520E—

“(1) establishing and implementing a school-based student suicide awareness and prevention

training policy in accordance with subsection (c);

“(2) consulting with stakeholders (including principals, teachers, parents, local Tribal officials, and other relevant experts) and, as appropriate, utilizing information, models, and other resources made available by the Suicide Prevention Technical Assistance Center authorized under section 520C in the development of the policy under paragraph (1); and

“(3) collecting and reporting information in accordance with subsection (d).

“(b) CONSIDERATION.—In giving priority to applicants as described in subsection (a), the Secretary shall, as appropriate, take into consideration the incidence and prevalence of suicide in the applicable jurisdiction and the costs of establishing and implementing, as applicable, a school-based student suicide awareness and prevention training policy.

“(c) SCHOOL-BASED STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING POLICY.—A school-based student suicide awareness and prevention training policy implemented pursuant to subsection (a)(1) shall—

“(1) be evidence-based;

“(2) be culturally- and linguistically-appropriate;

“(3) provide evidence-based training to students in grades 6 through 12, in coordination with school-based mental health resources, as applicable, regarding—

“(A) suicide prevention education and awareness, including associated risk factors;

“(B) methods that students can use to seek help; and

“(C) student resources for suicide awareness and prevention; and

“(4) provide for periodic retraining of such students.

“(d) COLLECTION OF INFORMATION AND REPORTING.—Each State educational agency, local educational agency, and Tribal educational agency that receives priority to implement a new training policy pursuant to subsection (a)(1) shall report to the Secretary the following aggregated information, in a manner that protects personal privacy, consistent with applicable Federal and State privacy laws:

“(1) The number of trainings conducted, including the number of student trainings conducted, and the training delivery method used.

“(2) The number of students trained, disaggregated by age and grade level.

“(3) The number of help-seeking reports made by students after implementation of such policy.

“(e) EVIDENCE-BASED PROGRAM AVAILABILITY.—The Secretary shall coordinate with the Secretary of Education and the Secretary of the Interior to—

“(1) make publicly available the policies established by State educational agencies, local educational agencies, and Tribal educational agencies pursuant to this section and the training that is available to students and teams pursuant to such policies, in accordance with section 543A; and

“(2) provide technical assistance and disseminate best practices on student suicide awareness and prevention training policies, including through the Suicide Prevention Technical Assistance Center authorized under section 520C, as applicable, to State educational agencies, local educational agencies, and Tribal agencies.

“(f) IMPLEMENTATION.—Not later than September 30, 2024, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives the number of recipients of funds under section 520A who have implemented training policies described in subsection (a)(1) and a summary of the information received under subsection (d).

“(g) DEFINITIONS.—In this section:

“(1) The term ‘evidence-based’ has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(2) The term ‘local educational agency’ has the meaning given to such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(3) The term ‘State educational agency’ has the meaning given to such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(4) The term ‘Tribal educational agency’ has the meaning given to the term ‘tribal educational agency’ in section 6132 of the Elementary and Secondary Education Act of 1965.”

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall apply only with respect to applications for assistance under section 520A of the Public Health Service Act (42 U.S.C. 290bb-32) that are submitted after the date of enactment of this Act.

Ms. CANTWELL. I ask that the committee-reported substitute be agreed to; and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Ms. CANTWELL. I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

Hearing none, and the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1543), as amended, was passed.

Ms. CANTWELL. I ask that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL ROTATIONAL CYBER WORKFORCE PROGRAM ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 177, S. 1097.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1097) to establish a Federal rotational cyber workforce program for the Federal cyber workforce.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Ms. CANTWELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1097) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Rotational Cyber Workforce Program Act of 2021”.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code, except that the term does not include the Government Accountability Office.

(2) COMPETITIVE SERVICE.—The term “competitive service” has the meaning given that term in section 2102 of title 5, United States Code.

(3) COUNCILS.—The term “Councils” means—

(A) the Chief Human Capital Officers Council established under section 1303 of the Chief Human Capital Officers Act of 2002 (5 U.S.C. 1401 note); and

(B) the Chief Information Officers Council established under section 3603 of title 44, United States Code.

(4) CYBER WORKFORCE POSITION.—The term “cyber workforce position” means a position identified as having information technology, cybersecurity, or other cyber-related functions under section 303 of the Federal Cybersecurity Workforce Assessment Act of 2015 (5 U.S.C. 301 note).

(5) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(6) EMPLOYEE.—The term “employee” has the meaning given the term in section 2105 of title 5, United States Code.

(7) EMPLOYING AGENCY.—The term “employing agency” means the agency from which an employee is detailed to a rotational cyber workforce position.

(8) EXCEPTED SERVICE.—The term “excepted service” has the meaning given that term in section 2103 of title 5, United States Code.

(9) ROTATIONAL CYBER WORKFORCE POSITION.—The term “rotational cyber workforce position” means a cyber workforce position with respect to which a determination has been made under section 3(a)(1).

(10) ROTATIONAL CYBER WORKFORCE PROGRAM.—The term “rotational cyber workforce program” means the program for the detail of employees among rotational cyber workforce positions at agencies.

(11) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

SEC. 3. ROTATIONAL CYBER WORKFORCE POSITIONS.

(a) DETERMINATION WITH RESPECT TO ROTATIONAL SERVICE.—

(1) IN GENERAL.—The head of each agency may determine that a cyber workforce position in that agency is eligible for the rotational cyber workforce program, which shall not be construed to modify the requirement under section 4(b)(3) that participation in the rotational cyber workforce program by an employee shall be voluntary.

(2) NOTICE PROVIDED.—The head of an agency shall submit to the Director—

(A) notice regarding any determination made by the head of the agency under paragraph (1); and

(B) for each position with respect to which the head of the agency makes a determination under paragraph (1), the information required under subsection (b)(1).

(b) PREPARATION OF LIST.—The Director, with assistance from the Councils and the Secretary, shall develop a list of rotational cyber workforce positions that—

(1) with respect to each such position, to the extent that the information does not disclose sensitive national security information, includes—

(A) the title of the position;

(B) the occupational series with respect to the position;

(C) the grade level or work level with respect to the position;

(D) the agency in which the position is located;

(E) the duty location with respect to the position; and

(F) the major duties and functions of the position; and

(2) shall be used to support the rotational cyber workforce program.

(c) DISTRIBUTION OF LIST.—Not less frequently than annually, the Director shall distribute an updated list developed under subsection (b) to the head of each agency and other appropriate entities.

SEC. 4. ROTATIONAL CYBER WORKFORCE PROGRAM.

(a) OPERATION PLAN.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, and in consultation with the Councils, the Secretary, representatives of other agencies, and any other entity as the Director determines appropriate, the Director shall develop and issue a Federal Rotational Cyber Workforce Program operation plan providing policies, processes, and procedures for a program for the detailing of employees among rotational cyber workforce positions at agencies, which may be incorporated into and implemented through mechanisms in existence on the date of enactment of this Act.

(2) UPDATING.—The Director may, in consultation with the Councils, the Secretary, and other entities as the Director determines appropriate, periodically update the operation plan developed and issued under paragraph (1).

(b) REQUIREMENTS.—The operation plan developed and issued under subsection (a) shall, at a minimum—

(1) identify agencies for participation in the rotational cyber workforce program;

(2) establish procedures for the rotational cyber workforce program, including—

(A) any training, education, or career development requirements associated with participation in the rotational cyber workforce program;

(B) any prerequisites or requirements for participation in the rotational cyber workforce program; and

(C) appropriate rotational cyber workforce program performance measures, reporting requirements, employee exit surveys, and other accountability devices for the evaluation of the program;

(3) provide that participation in the rotational cyber workforce program by an employee shall be voluntary;

(4) provide that an employee shall be eligible to participate in the rotational cyber workforce program if the head of the employing agency of the employee, or a designee of the head of the employing agency of the employee, approves of the participation of the employee;

(5) provide that the detail of an employee to a rotational cyber workforce position under the rotational cyber workforce program shall be on a nonreimbursable basis;

(6) provide that agencies may agree to partner to ensure that the employing agency of an employee that participates in the rotational cyber workforce program is able to fill the position vacated by the employee;

(7) require that an employee detailed to a rotational cyber workforce position under the rotational cyber workforce program, upon the end of the period of service with respect to the detail, shall be entitled to return to the position held by the employee, or an equivalent position, in the employing agency of the employee without loss of pay, seniority, or other rights or benefits to